

AO 93 (Rev. 5/85) Search Warrant

United States District Court

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

In the Matter of the Search of
(Name, address or brief description of the person or property to be searched))

SEARCH WARRANT

Park Boulevard Pharmacy
3904 Park Boulevard
San Diego, CA

CASE NUMBER:

08 MJ 0699

ORDERED SEALED BY COURT

on 4/18/08
JMS

FILED
08 MAR 14 PM 2:41
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

TO: Any Special Agent of the Federal Bureau of Investigation and any Authorized Officer of the United States

Affidavit(s) having been made before me by FBI Special Agent Gerald K. Cook who has reason to
Affiant

believe that ☐ on the person of or ☒ on the premises know as (name, description and/or location)

See Attachment A.

in the SOUTHERN District of CALIFORNIA there is now
concealed a certain person or property, namely (describe the person or property)

See Attachment B - which constitutes (1) evidence of drug trafficking offenses under 21 USC 841(a)(1), 843(b) and 846; and money laundering offenses under 18 U.S.C. 1956, (2) contraband, fruits of a crime, or other items illegally possessed, and/or (3) property designed for used, intended for use, or used in committing crimes.

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before 3/15/08
Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) ~~(at any time in the day or night as I find reasonable cause has been established)~~, and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to Hon. Cathy Ann Bencivengo, U.S. Magistrate Judge
as required by law. U.S. Judge or Magistrate

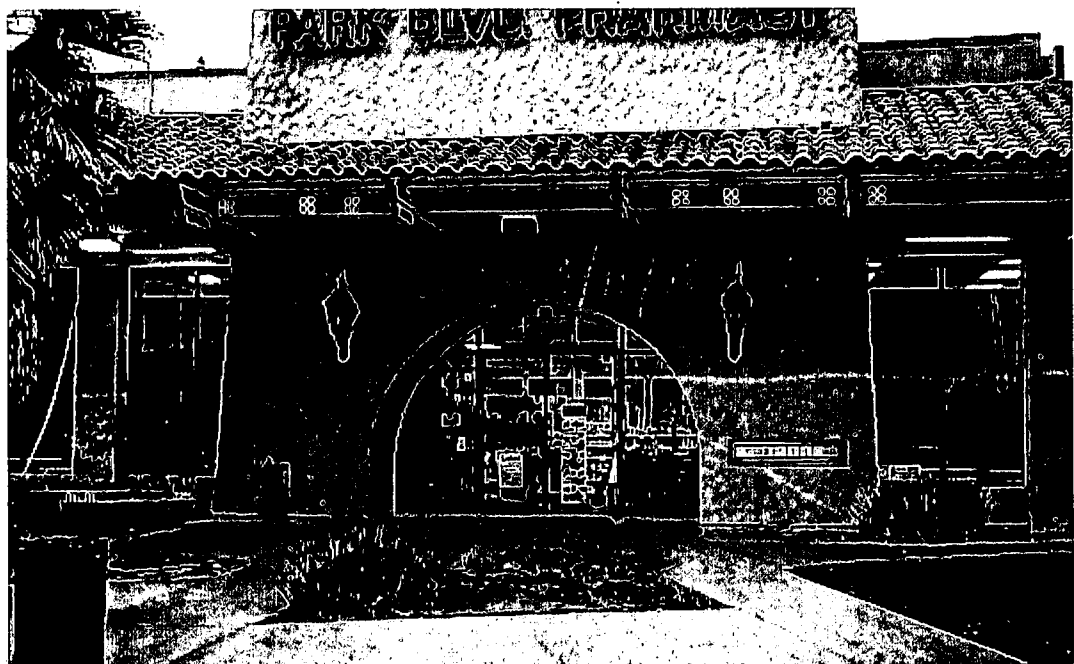
March 5, 2008 at 3:55 a.m. at San Diego, California
Date and Time Issued City and State
Cathy Ann Bencivengo, U.S. Magistrate Judge
Name and Title of Judicial Officer Signature of Judicial Officer

ATTACHMENT A

DESCRIPTION OF PROPERTY TO BE SEARCHED

The premises known as the Park Boulevard Pharmacy located at 3904 Park Boulevard, San Diego, California, at the northwest corner of the intersection of Park Boulevard and University Avenue. The premises is a single story, free-standing, yellow colored stucco and brick structure. The front entrance consists of glass double doors facing Park Boulevard. The name "Park Blvd. Pharmacy" is visible in large red letters above the front entrance to the premises. The numerals "3904" are visible in tile to the right of an archway leading to the front entrance. Images of the premises are provided below.

The search shall include all rooms, attics, crawl spaces, safes, briefcases, storage areas, containers, garages, sheds, carports, storage facilities and containers such as safes, vaults, file cabinets, drawers, luggage, briefcases, valises, boxes, jewelry boxes, cans, bags, purses, and trash cans.



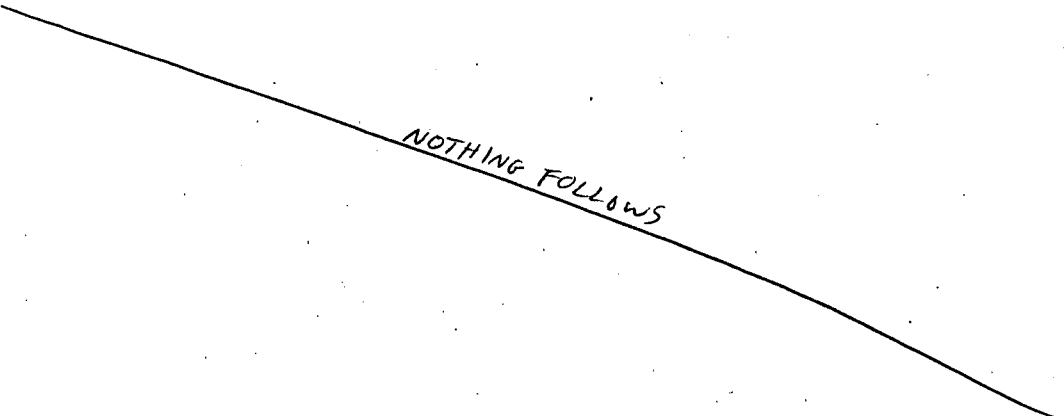
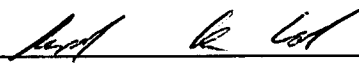
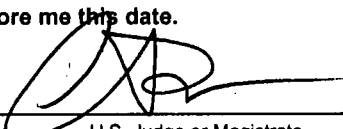
ATTACHMENT B

ITEMS TO BE SEIZED

1. Records and documents relating to the purchase, dispensation, administration, prescription or distribution of controlled substances required to be maintained pursuant to Title 21, C.F.R., Section 1302 et seq.
2. Documents containing data reflecting or memorializing the ordering, possession, purchase, storage, distribution, transportation and sale of controlled substances, including buyer lists, seller lists, pay-owe sheets, records of sales, log books, drug ledgers, personal telephone/address books containing the names of purchasers and suppliers of controlled substances, electronic organizers, Rolodexes, telephone bills, telephone answering pads, bank and financial records, and storage records, such as storage locker receipts and safety deposit box rental records and key.
3. Prescriptions;
4. Patient information, files, records and ledgers reflecting any corresponding medical purpose for said prescriptions;
5. Documents containing data reflecting or memorializing prescriptions for controlled substances.
6. Documents containing data reflecting or memorializing billing to health care benefit programs, or payment for health care benefits received from, or associated with, health care benefit programs, including communications to, or received from, health care benefit programs.
7. Employee records including time sheets, employment history records, salary or wage records, and records or data memorializing access to the premises by employees or other persons.
8. Documents or other records memorializing communications between employees, customers suppliers or others persons associated with the operation or ownership of the premises.
9. Documents and articles of personal property reflecting the identity of persons occupying, possessing, residing in, owning, frequenting or controlling the premises to be searched or property therein, including keys, rental agreements and records, property acquisition records, utility bills and receipts, photographs, answering machine tape recordings, telephone, vehicle and/or vessel records, canceled mail envelopes, correspondence, financial documents such as tax returns, bank records, safety deposit box records, canceled checks, and other records of income and expenditure, credit card records, travel documents, personal identification documents and documents relating to obtaining false identification including birth certificates, drivers license, immigration cards and other forms of identification which the same would use other names and identities other than his or her own.
10. Photographs and video and audio recordings which document persons occupying, possessing, residing in, frequenting, or controlling the premises or which document an association with other coconspirators and/or which display narcotics, firearms, or money and proceeds from narcotics transactions.
11. Packages and contents that were delivered to the premises, or were about to be sent by the occupants.
12. Devices, supplies, equipment or items used in, or the product of, the re-packaging of pharmaceuticals, to include empty tablet containers, caps, seals, bottle labeling devices, seal presses, and pharmaceutical bottles bearing indications of tampering.

- 1 13. Shipping and receiving documents relating to the delivery of packages.
- 2 14. Banking and financial institution records, bank statements, credit card statements, canceled
3 checks, money orders, deposit slips, orders for or receipt of money transfer by wire, checking
4 and saving books, financial institution statements, safe deposit boxes, loan statements, tax
5 returns, business and personal ledgers, and accounting records.
- 6 15. Records relating to the lease of storage lockers, telephone/address directories and other papers
7 containing telephone numbers and addresses.
- 8 16. Records related to the purchase of real estate, vehicles, precious metals, jewelry and other
9 tangible assets.
- 10 17. Digital storage devices including: floppy disk, CD ROMS, DVD ROMS, magnetic tapes,
11 magnet optical cartridges, personal digital assistance, pagers, money chips, thumb drives, jump
12 drives, flash drives, portable hard drives and computers containing hard drives. All electronic
13 devices, such as computers, which include the central processing units, internal and external
14 devices, internal and external storage equipment or media, terminals or video display units,
15 together with peripheral equipment, such as keyboards, printers, modems, and programmable
16 telephone dialing devices, and operating system software, program software, applications
17 software, manuals for the software and hardware, electronic organizers, or personal digital
18 assistants and computer discs and CD's, cellular telephones and SIM cards. All seized
19 computers shall be returned to the defendants or the defendant's agent within 10 calendar days.
20 If agents need more time than 10 days to complete the mirror imaging, the Government will seek
21 from the Court an extension of time within which to return the applicable devices and/or
22 equipment.
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AO 93 (Rev. 2/90) Search Warrant

RETURN		
DATE WARRANT RECEIVED 03/05/08	DATE AND TIME WARRANT EXECUTED 03/06/08 9:15 a.m.	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH STEPHEN FAZZIOLA
INVENTORY MADE IN THE PRESENCE OF SA TOM LENNOX		
INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT		
<ul style="list-style-type: none"> - BUSINESS RECORDS, PATIENT LISTS, + MISC. DOCUMENTS FOR "MY OWN ADVOCATE" - 14 BOTTLES OF UNSEALED PRESCRIPTION DRUGS - MISC. DOCUMENTS REF. HIV PURCHASES - 13 BOXES OF PRESCRIPTIONS (DEA BOXES) - 4 BOXES OF PRESCRIPTIONS (SMALLER) - 2 PHYSICAL BIENNIAL INVENTORIES - 361 WHOLESALE INVOICES - 31 DEA-222 ORDER FORMS - 2 DEA-106 THEFT + LOSS FORMS - 1 DEA-222 TO REVERSE DISTRIBUTOR DATED 		
 <p>NOTHING FOLLOWS</p>		
CERTIFICATION		
I swear that this inventory is true and detailed account of the person or property taken by me on the warrant.		
<p style="text-align: center;">  _____ </p>		
Subscribed, sworn to, and returned before me this date.		
 _____ U.S. Judge or Magistrate		<p>3/11/08</p> _____ Date

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE